

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
5:09-CR-216-FL

UNITED STATES OF AMERICA

v.

DANIEL PATRICK BOYD, et al.,

Defendants.

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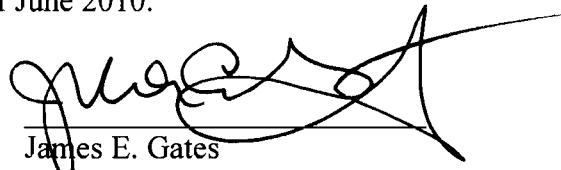
**ORDER**

This case comes before the court on the government's motion (D.E. 419) to extend the 21 June 2010 deadline for service on defendants of its proposed changes to existing transcripts for a period of 60 days. In its motion, the government indicates that defendants Daniel Patrick Boyd, Anes Subasic, Hysen Sherifi, Dylan Boyd, and Ziyad Yaghi do not object. Defendant Mohammad Omar Aly Hassan filed a written response (D.E. 423) indicating that he takes no position on the motion. Defendant Zakariya Boyd has not responded to the motion.

The current 21 June 2010 deadline the government seeks to extend is itself a deadline that had been extended pursuant to a motion by the government on 21 May 2010 (D.E. 357 at 5 ¶ 3). (*See* 9 June 2010 Order (D.E. 410)). The government has not convincingly demonstrated that there has been a change in circumstances since 21 May 2010 sufficient to justify an additional extension of the length it now requests. At the same time, the court believes that some extension is justified by the disruptions in staff support it cites as well as the government's apparent underestimation of the time required for its work on the transcripts. Needless to say, there can be little doubt that at this point the government has a full appreciation of the task before it. It is therefore questionable whether it will be able to plausibly contend in the future that the task is more difficult or time consuming than expected.

Accordingly, for good cause shown, the government's motion is GRANTED IN PART. The government is directed to serve on defendants its proposed changes to the existing transcripts no later than 21 July 2010. The government shall be prepared to provide the court with an update on the status of its work on the existing transcripts at the 30 June 2010 conference. The update shall clearly identify the status of work at each step of the four-step review process it is using (which the instant motion did not do).<sup>1</sup>

SO ORDERED, this the 18th day of June 2010.



James E. Gates  
United States Magistrate Judge

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<sup>1</sup> For example, the meaning of the phrase "26 [transcripts] are ready to be processed through final review" is unclear. (Mot. 3).